

AMENDMENT TO RULES COMMITTEE
PRINT 116-19
OFFERED BY MR. THORNBERRY OF TEXAS

At the end of subtitle B of title III, add the following:

1 **SEC. ____ . MILITARY AVIATION AND INSTALLATION AS-**
2 **SURANCE CLEARINGHOUSE FOR REVIEW OF**
3 **MISSION OBSTRUCTIONS.**

4 (a) TITLE 10.—Section 183a of title 10, United
5 States Code, is amended—

6 (1) in subsection (d)(2)—

7 (A) in subparagraph (B)—

8 (i) by striking “solely for the purpose
9 of informing preliminary reviews under
10 subsection (c)(1) and early outreach efforts
11 under subsection (c)(5),”; and

12 (ii) by inserting “, including highly
13 critical areas that would necessitate an
14 automatic assumption of presumed risk
15 under subsection (c)” after “such areas”;

16 (B) in subparagraph (E), by striking
17 “and” at the end;

1 (C) in subparagraph (F)(v), by striking the
2 period at the end and inserting “; and”; and

3 (D) by adding at the end the following:

4 “(G) propose a rule to consider classifying mili-
5 tary training routes as highly critical geographic
6 areas of concern.”; and

7 (2) in subsection (e), by adding at the end the
8 following:

9 “(5) The Secretary of Defense shall issue regu-
10 lations, or orders if necessary, to prevent any person
11 from constructing, altering, establishing, or expand-
12 ing any energy structure taller than 199 feet from
13 the ground, until the person obtains a finding from
14 the Secretary of Defense that the structure, as pro-
15 posed to be constructed, altered, established, or ex-
16 panded would not pose an unacceptable risk to the
17 national security of the United States.”.

18 (b) TITLE 49.—Section 44718(a) of title 49, United
19 States Code, is amended—

20 (1) by striking “By regulation” and inserting
21 “(1) IN GENERAL.—By regulation”;

22 (2) by redesignating paragraphs (1) through
23 (3) as subparagraphs (A) through (C), respectively;
24 and

25 (3) by adding at the end the following:

1 “(2) ENERGY PROJECTS.—In addition to the
2 requirements under paragraph (1), structures cov-
3 ered under section 183a(b)(1) of title 10 shall be
4 subject to—

5 “(A) a public notice requirement of not
6 less than 180 days; and

7 “(B) a finding by the Secretary of Defense
8 consistent with subsection (f) of such section
9 that such structure will not pose an unaccept-
10 able risk to the national security of the United
11 States.”.

